

Regular Council Meeting
MONDAY, April 19, 2021
7:00 p.m. – Caucus/ Meeting to immediately follow
REMOTE ZOOM
****COVID-19 procedures in effect****
Live via Facebook@http://Facebook.com/lackawannany

Attention Residents:

The Remote Zoom format will remain in effect as long as it is authorized by Executive Order from the Governor, and until such time as the City Council resolution authorizing same is rescinded.

Meeting called to order/Pledge of Allegiance.

NB: Meeting being recorded.

Roll Call: Council: Ingram, Szymanski, Moretti, Surdyke, Marrano
Dept. Heads: Law, Comptroller, Recreation, Public Safety, Development,
Public Works, Public Information

Hearings from Citizens:

Approval of Minutes: of the regular meeting of April 12, 2021.

Moved by Marrano seconded by Ingram to adopt minutes of the regular meeting of April 12, 2021.
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano Carried 5-0

Departmental Reports:

1. **City Comptroller** – A/P Check Listing #36, dated April 8, 2021.
2. **City Comptroller** – A/P Check Listing #37, dated April 13, 2021.
3. **City Comptroller** - Cash Reconciliation, Revenue report and Statement of Condition of Appropriations as of March 31, 2021.

Moved by Marrano seconded by Moretti to receive and file Departmental Reports one through three.
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano Carried 5-0

Communications from Department/Division Heads:

Requests Approval of Agreement Between the City of Lackawanna and the Ralph Wilson Foundation.

4. To: Honorable City Council President
Honorable City Council Members
714 Ridge Road
Lackawanna, NY 14218
Honorable Members of the City Council:

I am requesting your Honorable Body to approve the attached agreement between the City of Lackawanna and the Ralph Wilson Foundation. The agreement outlines a grant from the Ralph Wilson Foundation that will allow us to bring the long established Buffalo City Swim Racers to the residents of the City of Lackawanna at no cost to the city.

Thank you for your consideration.

Sincerely,

BRIAN LAKSO, DIRECTOR OF PARKS AND RECREATION

A copy of this information may be obtained by contacting the City Clerk's Office.

Moved by Marrano seconded by Moretti to approve request, with thanks to the Director of Parks and Recreation and Coach Switalski for their efforts.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Citizens:

Requests Review of the New Great Lakes Offshore Wind Feasibility Study.

5. To: Town Board Members
Town of Lackawanna
714 Ridge Road
Lackawanna, NY 14218

Dear Board Members:

Recently I attended the first of four webinars planned for 2021 by NYSERDA that outlined a new Great Lakes Offshore Wind Feasibility Study; an initiative that will have extraordinary consequences for all Great Lakes shoreline communities.

You may recall, the issue of offshore wind farm development in the Great Lakes is not new. We saw this a decade ago and it soon disappeared after public outcry. Regardless of the timing, what was a bad idea a decade ago is a bad idea today. If this administration's efforts are successful today, turbines could dominate our Great Lakes from the Pennsylvania border to the St. Lawrence River, from near shore to the boundary with Canada.

New York's Great Lakes region is already the crown jewel of New York's green energy production. Hydroelectric and nuclear energy sources produced 55% of the state's total electric energy generation in 2020, the bulk of which was produced within our Great Lakes and its tributaries. Three of the state's four operational nuclear plants are located on the shores of Lake Ontario and the Niagara and St. Lawrence Power Projects contribute far and away the largest share of New York's total hydroelectricity generation.

Despite the Great Lakes region walking-the-walk in green energy production, Albany officials are telling us we still need to do more.

You may not be aware there is a master plan for offshore wind development in New York. The 2017 *'New York State Offshore Wind Master Plan'* describes marine offshore wind development that includes a 20-mile setback to minimize viewshed impacts to Long Island shoreline communities. This restriction is more than just a note in a plan – it's policy! There are five current proposed projects along the south shore of Long Island all with 20-to-50 mile setbacks.

If a 20 – mile setback is Cuomo administration policy in their Offshore Master Plan, then why are they considering Great Lakes offshore wind when virtually no area in New York's Great Lakes is beyond 20 miles from shore? That's right, the only area in New York's Great Lakes beyond 20 miles is a small, Canadian boundary area in Lake Ontario between Rochester and Port Bay.

It is obvious that a double standard is being applied. For the Hamptons you have a 20-to-50-mile setbacks and for Great lakes communities it is open season with turbines just off the beaches.

As a retired Lake Ontario Leader for NYSDEC, I have an appreciation for the potential impacts to fish and wildlife resources in the Great Lakes from any kind of offshore industrial development. But that is not why I am writing now. Whether you are pro-development or opposed, green energy supporter or something else, we should all demand fair and equitable treatment under the law.

Unfortunately, no local governments have any oversight or jurisdiction beyond their shorelines. All the area within the Great lakes are state lands with the Army Corps of Engineers providing oversight with water resource management and permitting. Experience with onshore wind development suggests near shore municipalities will have little if any gain, but a diminished view-scape could negatively impact lakeshore property values and assessments, which could lead to redistribution of each community's tax base.

Offshore wind development in the Great Lakes should be an issue that you give careful consideration. I urge you contact Albany officials and tell them you care about the Great Lakes. Tell them we already do our part for carbon-free energy production and that we deserve fair and equitable treatment under the law. I would also ask that you work within the Association of Towns to vigorously oppose state policy that regulates upstate communities to be treated as separate and distinct from our downstate counterparts. What is good policy for Long Island should be good policy for us as well.

Thank you for anything you can do to help bring fair treatment to upstate communities.

Sincerely yours,

CLIF SCHNEIDER, WELLESLEY ISLAND, NEW YORK

Moved by Szymanski seconded by Surdyke to receive and file.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Extension or Reissuance of Current Permit Allowing Outdoor Seating Per Resolution #20-12.

6. Dear City Council Members

My name is Mike Martinez and together with my wife we own Steel City Pub. We are writing this letter to ask for a continuance or reissuance of our existing permits: #'s 20-0140 and 20-0141 which expire June 8, 2021.

20-0140 was issued for an outside café. (We put out 2 picnic tables between the sidewalk and our existing permanent patio).

20-0141 was issued for a temporary tent in our parking lot.

Last year Governor Cuomo allowed for a liquor license holder to serve alcohol outside of the establishment. All we had to do was acquire a permit from the city which we did. That edict (for alcohol to be served outside) expired November of 2020.

However, in the meantime we applied for, and was granted an alteration to our existing liquor license to include these outside areas as part of our license permanently. I have enclosed a copy of the approval.

So, we are approved by the NYS Liquor Authority to serve alcohol under the tent and the café like last year. What we are looking for now is an extension, or a new permit to do the same.

I'm sure that you all are aware of the severe impact Corona-19 has had on many businesses especially the restaurant industry. We closed for months at a time (twice) since March 17, 2020. We managed to reopen when it was safe but it only slowed the losses due to capacity restrictions and closing time restrictions.

We have incurred huge losses and do not see any lightening up of the restrictions any time soon. We have taken out loans to get us through but need to repay them. (Except for a portion of the PPP Loan).

We will be out of business if we do not capitalize on outside dining during the spring and summer months. The capacity and time closure restraints are too harsh in a tiny place like ours. Our capacity is 54 and have been operating at 50% for most of the past year, which is only 27 people allowed in the building at one time. Simply not sustainable.

With the nice weather we would be able to serve customers under the tent or on the “café” sidewalk. This would help us greatly to stay in business.

Please help us by granting us an extension of the current permit or reissue us a new permit.

Thank you,

MIKE AND CHERYL MARTINEZ, OWNERS, STEEL CITY PUB

Moved by Marrano seconded by Moretti to receive and file, refer to the Law Department and Director of Development for direction.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Tabled Items:

Old Business: Update on the Bethlehem Street Community Garden, referring specifically to water supply. This issue was previously forwarded to the DPW Commissioner for cost estimates and Law Department for possible options.

City Attorney to forward a cover letter and agreement authorizing the Mayor to enter into agreement to supply water.

Adjournment:

Moved by Marrano seconded by Ingram to adjourn meeting.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Frederic J. Marrano-Council President

Jeffrey P. DePasquale - City Clerk

Any items to be placed on the agenda must be received by the City Clerk’s Office by noon on the Wednesday before the scheduled meeting to be considered. Any public comments normally in person at the meeting during “Hearing from Citizens” MUST be related to topics already on the agenda and received by the City Clerk’s Office no later than noon on the scheduled day of the meeting. Comments are accepted via US Mail Service, Fax @ 716-827-6453 or email at cityclerk@lackny.com.

www.lackawannany.gov